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**\*\*VIA ECF & REGULAR MAIL\*\***

December 5, 2007

Honorable Stephen C. Robinson  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: City of Newburgh vs 96 Broadway, LLC  
96 Broadway, LLC v. City of Newburgh  
Our File No. 00799-55986  
Orange County Supreme Court Index No. 2007-5544  
Case No. 07cv 6419 (SCR)

Dear Judge Robinson:

Please accept this letter stipulation which has been signed by attorneys for all the parties to the above matter.

The parties have conferred, and a stipulation of settlement has been reached regarding the City of Newburgh's request to enforce the State Court's temporary restraining order in the above matter. A copy of that stipulation is provided to you under separate cover.

As part and parcel of those settlement discussions, defendant 96 Broadway, LLC and Douglas Dollinger, Esq. have agreed to withdraw the request to file a Rule 11 motion against plaintiff, City of Newburgh.

This letter is in response to the minute entry for proceedings held before Your Honor at an interim pre-trial conference on October 30, 2007 received by email notification today, December 5, 2007.

TARSHIS, CATANIA, LIBERTH, MAHON & MILLIGRAM, PLLC

Honorable Stephen C. Robinson  
December 5, 2007  
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This letter has been signed by attorneys for all parties to the above matter.

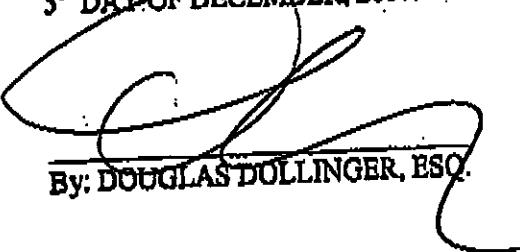
Respectfully Submitted:

  
NICHOLAS A. PASCALE

NAP/lmf/423919  
FYI: SIM (via email: [smilligram@telmm.com](mailto:smilligram@telmm.com))

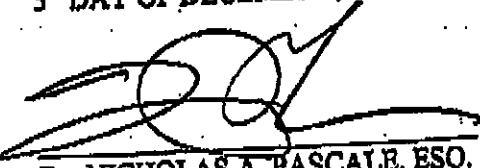
DATED:

ACCEPTED & AGREED TO THIS  
5<sup>th</sup> DAY OF DECEMBER, 2007:

  
By: DOUGLAS DOLLINGER, ESQ.

DATED: 12/5/2007

ACCEPTED & AGREED TO THIS  
5<sup>th</sup> DAY OF DECEMBER, 2007:

  
By: NICHOLAS A. PASCALE, ESQ.